

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

_____	)	
In re:	)	Chapter 11
	)	
CELSIUS NETWORK LLC, <i>et al.</i> , <sup>1</sup>	)	Case No. 22-10964 (MG)
	)	
Debtors.	)	(Jointly Administered)
	)	
_____	)	

**STIPULATION SUPPLEMENTING THE RECORD ON APPEAL PURSUANT TO  
FEDERAL RULE OF BANKRUPTCY PROCEDURE 8009**

This Stipulation (this “Stipulation”) is made and entered into by and among: (1) Immanuel J. Herrmann, (2) Daniel A. Frishberg (together, the “Appellants”) and (3) Community First Partners, LLC, Celsius SPV Investors, LP, Celsius New SPV Investors, LP, and CDP Investissements Inc. (collectively, the “Appellees” and together with the Appellants, the “Parties”). The Parties hereby stipulate and agree as follows:

**RECITALS**

**WHEREAS**, on April 5, 2023, Appellants filed a Notice of Appeal [Dkt. No. 2375];

**WHEREAS**, on April 19, 2023, Appellants filed *Appellants’ Statement of Issues to Be Presented and Designation of Items to Be Included in the Record on Appeal* [Dkt. No. 2507];

**WHEREAS**, on April 25, 2023, Appellants filed *Appellants’ Amended Statement of Issues to Be Presented and Designation of Items to Be Included in the Record on Appeal* [Dkt. No. 2550];

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); Celsius US Holding LLC (7956); GK8 Ltd. (1209); GK8 UK Limited (0893); and GK8 USA LLC (9450). The location of Debtor Celsius Network LLC’s principal place of business and the Debtors’ service address in these chapter 11 cases is 50 Harrison Street, Suite 209F, Hoboken, New Jersey 07030.

**WHEREAS**, on April 28, 2023, Appellees filed the *Series B Preferred Holders’ Counterdesignation of Records on Appeal* [Dkt. No. 2551];

**WHEREAS**, on May 9, 2023, the record on appeal was transmitted to the District Court [Dkt. No. 2597];

**WHEREAS**, Appellants seek to add three additional documents: (1) the October 25, 2022 *Amended Final Order (I) Establishing Certain Notice, Case Management, and Administrative Procedures and (II) Granting Related Relief* [Dkt. No. 1181]; (2) the December 21, 2022 *Affidavit of Service* of Janira N. Sanabria [No. 1777]; and (3) the March 31, 2023 *Supplemental Affidavit of Service* of Monica Arellano [Dkt. No. 2352] (together, the “Specified Documents”) to the record on appeal in U.S. District Court case no. 23-cv-3144 (JLR);

**WHEREAS** on May 31, 2023, counsel for Appellees agreed that they would not object to the Appellants’ request to add the Specified Documents to the record on appeal;

**WHEREAS** the parties reserve all of their respective rights, including without limitation the right to argue relevance or lack thereof of any document designated as part of the record on appeal.

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED that:**

1. The Appellants designate for inclusion in the record on appeal the Specified Documents.

<b>Docket #</b>	<b>Title/Description</b>
1181	Amended Final Order (I) Establishing Certain Notice, Case Management, and Administrative Procedures and (II) Granting Related Relief
1777	Affidavit of Service of Janira N. Sanabria
2352	Amended Affidavit of Service of Monica Arellano

Dated: May 31, 2023

**AGREED AND ACCEPTED:**

/s/ Immanuel J. Herrmann

Immanuel J. Herrmann  
Silver Spring, MD

/s/ Daniel A. Frishberg

Daniel A. Frishberg  
Santa Clara County, CA

/s/ Dennis F. Dunne

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- and -

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New SPV Investors, LP*

/s/ Joshua M. Mester

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*Counsel to CDP Investissements Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 31, 2023, a true and correct copy of the *Stipulation Supplementing the Record on Appeal Pursuant to Federal Rule of Bankruptcy Procedure 8009* was filed with the Clerk of the United States Bankruptcy Court in the Southern District of New York and served upon Chambers, and the Core/2002 service list, and all parties to the appeal.

/s/ Immanuel Herrmann

Immanuel Herrmann

*Pro Se*

Dated: May 31, 2023

Silver Spring, MD